IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 17TH OCTOBER 2006 / 25TH ASWINA 1928

Bail Appl..No. 6174 of 2006()

CRIME No.130/2006 OF KARUVARAKUNDU POLICE STATION.

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PETITIONER/IST ACCUSED

JITHESH.V., S/O.BHASKARAN,
TEACHERS QUARTERS, NEAR THUVVUR GOVERNMENT
HIGH SCHOOL, THUVVUR P.O., MALAPPURAM DISTRICT.

BY ADV. SRI.K.SHIBILI NAHA

RESPONDENTS: COMPLAINANT/STATE

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1. THE SUB INSPECTOR OF POLICE,
KARUVARAKUNDU POLICE STATION.

2. STATE REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 6174 of 2006

Dated this the 17th October, 2006.

O R D E R

Petitioner, the first accused, has approached the Sessions Court for a pre arrest order along with accused 2 to 4, for the offence punishable under Section 498A IPC, read with Section 34 IPC, in Crime No.130/2006 of Karuvarakundu Police Station. The learned Sessions Judge had directed accused 2 to 4 to surrender before the Judicial First Class Magistrate Court-I, Manjeri. However, declined to grant the same relief to the first accused, the husband of the de facto complainant, who is now before this Court for the same relief.

2. I have gone through the F.I.Statement, which has been given to the police, by the wife of the petitioner, who was admitted in the hospital, on she consuming Acid. In it, she has stated that the other accused had scolded her, belittled her, behaved cruelly towards her and also instigated her to consume acid. She stated the similar allegations against her husband also.

3. After considering the materials that are placed before me, I dispose of the application, directing the petitioner to surrender before the Investigating Officer of Karuvarakundu Police Station, who is investigating the Crime No.130/2006 of that police station, on 25.10.2006, between 9.30 and 10 a.m.

4. The investigating officer shall interrogate the petitioner, and produce him before the court below, as per the law.

5. The learned Magistrate shall consider the bail application of the petitioner, and after hearing both sides, pass appropriate orders, on merit, on the same day itself.

J.M. JAMES,
JUDGE

nj.